



Appointments and Briefings

April 11, 2007 - **Minutes**

City Council Chamber, Room 214 – Municipal Building

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PRESENT: COUNCILLORS DENIS LAWRENCE, CHAIRMAN; PAUL KOCZERA, VICE-CHAIRPERSON (8:15); JOE DEMEDEIROS; JANE GONSALVES; LINDA MORAD; LEO PIMENTAL; JOHN SAUNDERS; DEBORA COELHO (7:50); DAVID ALVES (7:53)

ABSENT: COUNCILLORS BRIAN GOMES; VIOLA PINA

ALSO PRESENT:

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Councillor Lawrence called the Appointments & Briefings Committee Meeting to order and took attendance.

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Notice, City Clerk of reference of a WRITTEN MOTION, Councillor Saunders, requesting that the Committee on Appointments and Briefings schedule a meeting with Tom Pina regarding Federal violation against the City of New Bedford; and further, asking that this meeting be allowed to go into Executive Session (Ref'd 9/14/06) was received and placed on file.

Councillor Saunders asked that this item be tabled and taken up last.

On motion, the Committee VOTED: To table this matter at this time and take it up last. This motion passed on a voice vote.

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Notice, City Clerk of reference of a WRITTEN MOTION, Councillor Gonsalves, Morad, Pimental and Gomes, requesting that the City Council invite the Members of the Board of Health to the next Committee on Appointments and Briefings meeting to discuss our concerns regarding the hiring process for the Director of Health, which has resulted in the hiring/firing and reinstatement of the current Director (Ref'd 1/25/07, withdrawn 2/12/07, 3/12/07 - tabled until next meeting) and a Communication, Barbara A. Silva, Board of Health Chairperson to Council President Pimental and Committee on Appointments and Briefings Chair, Councillor Lawrence, re: explaining absence of Health Board Members from the Committee on Appointments & Briefings meeting on March 12, 2007 (Ref'd 3/22/07) were received and placed on file.

Councillor Lawrence explained that he received a letter stating that members of the Board of Health were urged by Legal Counsel not to attend the meeting. Due to concerns over violating open meeting law, and further that the Committee members are invited to attend a future Board of Health Meeting.

Councillor Lawrence inquired whether one member of the Board of Health could attend and Dr. Schweidenback stated that he felt uncomfortable attending the meeting without Legal Counsel.

Councillor Morad pointed out that all the Board of Health would have to do is publicly post that, as a body, they would be attending the meeting, with the date, time and location, and that would protect them from violating the open meeting law.

On motion, by Councillor Pimental, the Committee VOTED: that the Committee on Appointments & Briefings ask Attorney David Gerwatowski if there is a mechanism within the City's Charter that would allow the Council to rescind its votes confirming the appointments of the members of the Board of Health who have, for the second time now, refused to attend a City Council Committee meeting. This motion passed on a voice vote.

On motion, by Councillor Morad, the Committee VOTED: That the City Council send a letter to Mayor Lang asking that he consider rescinding his appointments of Dr. Schweidenback and Mrs. Barbara Silva to their respective posts as Board of Health Members. This motion passed on a voice vote.

On motion, the Committee, VOTED: To table this matter at this time. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Written Motion, Councillors Lawrence, Morad, Gonsalves, Pina, Gomes, Coelho, Saunders, Alves, Koczera, DeMedeiros, and Pimental, requesting that HDC Executive Director Kristin Decas, Port Security Unit Commander Sgt. Jill Simmons and EM Director Mark Mahoney meet with the Committee on Appointments & Briefings, in Executive Session, to discuss their Homeland Security and Protection Plan for New Bedford's Waterfront (Ref'd 3/8/07) was received and placed on file.

On motion, the Committee VOTED: To go into Executive Session for the purpose of discussing Homeland Security and other protective measures as they relate to the New Bedford Waterfront, with the intent on returning to regular session. This motion passed on a voice vote.

The Committee went into Executive Session.

The Committee came out of Executive Session and returned to regular session.

Councillor Gonsalves asked Kristin Decas about her plans regarding the Harbor Development Commission. Ms. Decas informed the members about the Harbor Plan Renewal process, an upcoming economic assessment, and a future commercial fishing boat berth plan. She also indicated that she has been working closely with Sarah Porter and the Conservation Commission on environmental and conservation issues in and around the Harbor.

On motion, the Committee VOTED: To take "No Further Action" on this matter at this time. This motion passed on a voice vote.

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On motion, by Councillor Saunders, the Committee VOTED: To remove item number one (1) from the table. This motion passed on a voice vote.

Notice, City Clerk of reference of a WRITTEN MOTION, Councillor Saunders, requesting that the Committee on Appointments and Briefings schedule a meeting with Tom Pina regarding Federal violation against the City of New Bedford; and further, asking that this meeting be allowed to go into Executive Session (Ref'd 9/14/06) was received and placed on file.

On motion, by Councillor Saunders, the Committee VOTED: To go into Executive Session for the purpose of discussing litigation against the City with the intent on returning to regular session. This motion passed on a voice vote.

The Committee went into Executive Session.

The Committee returned to regular session.

The Committee VOTED to receive and place on file the appropriate paperwork from Mr. Tom Pina for the Committee's consideration as it pertains to the Fairhaven Mills Project. This motion passed on a voice vote.

Councillor Lawrence suggested that a letter go out to our Legal Counsel, Attorney Gerwatowski, asking that he review and comment in writing, if he agrees with Mr. Tom Pina's assertion that the City Council enforces the Affirmative Action Issues in the City of New Bedford.

On motion, the Committee VOTED: That the Committee ask the Administration who is the City's Equal Employment Officer who is responsible for monitoring the Responsible Employer's Act for the City of New Bedford. This motion passed on a voice vote.

On motion, the Committee VOTED: To take "No Further Action" on this matter at this time. This motion passed on a voice vote.

This meeting adjourned @ 8:50 p.m.

ATTEST:

Clerk of Committees